

RESOLUTION NO. _____, SERIES 2008

A RESOLUTION URGING THE STATE AND FEDERAL GOVERNMENTS TO PROVIDE ABSENTEE MEDICAID REIMBURSEMENT FOR CLIENTS OF LEVEL II ADULT TRAINING FACILITIES.

Sponsor: Councilman Jim King and Councilwoman Tina Ward-Pugh

WHEREAS, the Mattingly Center, Inc. in Louisville is a Level II Adult Day Training facility which at present serves 66 adults who are able to remain in the community with their families and/or care giving providers with the help of this exceptional program; and

WHEREAS, its mission is to provide the highest quality of structured day services for adults with severe developmental disabilities; and

WHEREAS, this mission is carried out in small group, person-centered, participant-selected daily classes and individualized activities on site and in the larger community in alignment with the Government's philosophy of supporting persons with disabilities in their family homes and/or in community settings; and

WHEREAS, The Mattingly Center serves persons who might otherwise be in nursing homes or ICF-MR facilities were it not for the availability of the Mattingly Center to support them for most of their day; and,

WHEREAS Mattingly Center participants include not only persons with developmental disabilities such as mental retardation, but many of the 66 individuals also have serious physical, emotional, and mental health needs and more than 2/3 of the Mattingly Center participants use wheelchairs for mobility, and also require total assistance with activities of daily living and personal care; and

WHEREAS, Mattingly Center participants are so severely disabled and physically vulnerable, many require extensive medical care and hospitalization for illnesses such as

pneumonia, urinary tract infections, decubitus ulcers, corrective surgery, epilepsy and seizure disorders. This results in absences to the program every day; and

WHEREAS, the Mattingly Center relies on Medicaid reimbursement for 95% of program expenses and all reimbursement is lost when participants are absent; and

WHEREAS, these unavoidable medically related absences of participants have caused and continue to cause a monumental drain on their budget reserves; and

WHEREAS, from July '06 through June '07 the Mattingly Center had a total of 1,916 absences resulting in an estimated loss of \$147,000; and

WHEREAS, in the first 8 months of the 2007-2008 fiscal year, the Mattingly Center had almost 1,200 absences causing a projected fiscal year loss, again, of more than \$140,000; and

WHEREAS, the expenses of sustaining the employment of competent staff, meeting rising insurance costs, heat, electricity and other physical plant expenses all continue even if all of the 66 participants are absent on a given day; and

WHEREAS, the Mattingly Center provides services for individuals with the same medical vulnerability as those who are eligible for or need placement in nursing homes; or an ICF-MR facility (if the same level of services are not available in the community).

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: The Louisville Metro Council hereby urges the State and Federal Governments to provide compensation for absences of clients of Level II Adult Training Facilities based on Section 9 "Reserved Bed Days" in KAR/907/001/022 regulations and to have this regulation apply to or be modified to include Level II Care Facilities such as the Mattingly Center.

SECTION II: This Resolution shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Jim King
President of the Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____